IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO : 17150 of 2005

Between:

G.Shankar, S/o.Buchelingaiah
R/o.Godhavarikhani, Karimnagar District President

Tipper and Lorry Owners Association
Godavarikhani, Ramagundam.

..... PETITIONER

AND

1 The Chairman and Managing Director, Singareni Colleries
Singzareni Bhavan, Lakdikaphool Hyderabad.
2 The Singareni Colleries Rep by its Director (Operations)
Kothagudam.
3 The General Manager Singareni Colleries, Ramagundam

RG 1, Godavarikhani Karimnagar District.
4 The General Manager Singareni Colleries, Ramagundam

RG 2 Godavarikhani Karimnagar District.
5 The General Manager Singareni Colleries, Ramagundam

RG 3 Godavarikhani Karimnagar District.

...RESPONDENTS

ORDER:

The writ petition is misconceived.

The petitioner has a contractual relationship with the Singareni Collieries for transportation of coal.

According to the petitioner certain difficulties had arisen with regard to the weighment of coal loaded into the lorries which have to go to the weigh bridge at a distance from the loading point. In this respect the petitioner made a representation to the third respondent. The third respondent is alleged not to have yet considered the representation of the petitioner to the respondents 3 to 5 including the one dated 27.07.2005. In the circumstances the petitioner seeks a Mandamus that:

> "the action of the respondents herein not considering the representation dated 27.07.2005 and representations submitted earlier as illegal arbitrary, void abinitio and violative of Article 14 and 21 of the Constitution of India besides violate of principles of natural justice and consequently direct the respondents to consider the representation and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice and equity and in the circumstances of the case."

A direction to consider a representation relating to a contractual relationship ought not to be issued. Accordingly, the writ petition is dismissed at the stage of admission. No costs.

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24-08-2005

kvrm